

CALL TO ORDER

A regular meeting of the Council Bluffs City Council was called to order by Mayor, Matthew J. Walsh on Monday, September 12, 2016 at 7:00 p.m.

ATTENDANCE

Council Members present: Melissa Head, Al Ringgenberg, Roger Sandau, Nate Watson and Sharon White. Staff present: Richard Wade and Marcia Worden.

CONSENT AGENDA

Watson and Sandau moved and seconded approval of the consent agenda, 3A. Agenda and tape recording of this proceeding to be incorporated into the official minutes; 3B. Reading, correction and approval of the August 22, 2016 meeting minutes; 3C. Resolution 16-227, accepting the work of Judds Bros. Construction Co. as complete and authorizing the Finance Department to release the retainage fee if no claims are filed in connection with the 23rd Avenue Emergency Sewer Repair, 3D. Resolution 16-228, accepting the work of Compass Utility LLC as complete and authorizing the Finance Department to release the retainage fee if no claims are filed in connection with the 3rd Street Sewer Relocation Project (FY15-15D), 3E. Resolution 16-229, accepting the work of MFT Construction Inc. as complete and authorizing the Finance Department to release the retainage fee if no claims are filed in connection with the Gifford Road Reconstruction Project (FY15-24), 3F. Resolution 16-230, accepting the work of Valley Corporation as complete and authorizing the Finance Department to release the retainage fee if no claims are filed in connection with the Levee Certification, Structural MR_2 Project (FY15-06B), 3G. Resolution 16-231, setting a Public Hearing for September 26, 2016, 7:00 p.m., for the 9th and 10th Street Bridges over Indian Creek (FY15-19), 3H. Resolution 16-232, setting a Public Hearing for September 26, 2016, 7:00 p.m. for right-of-way authorization in connection with the West Broadway Reconstruction Project, Phase I (PW17-20), 3I. Resolution 16-233, setting a Public Hearing for September 26, 2016, 7:00 p.m., for right-of-way authorization in connection with the East Beltway Project, 3J. Resolution 16-234, setting a Public Hearing for September 26, 2016, 7:00 p.m., on the intent to dispose of City property legally described as Lot 10, Aldine Court (OTB-16-014), 3K. Resolution 16-235, setting a Public Hearing for September 26, 2016, 7:00 p.m., on the intent to dispose of City property legally described as the south ½ of Lots 1 and 2 and the east 20 feet of the south 65 feet of Lot 3, Block 5, Wright's Addition (OTB-16-015), 3L. Resolution 16-241, setting a Public Hearing for September 26, 2016, 7:00 p.m., on the intent to grant an underground electrical easement to MidAmerican Energy in support of the Fieldhouse at Mid America Center, 3M. Financial Operating Statement (July 2016), 3N. List of Bills (July 2016), 3O. Revenue and Expense Report (July 2016), 3P. Notices of Claim (1). Ringgenberg mentioned Public Hearings for the West Broadway Corridor and the East Beltway are required by the State and will be held at the September 26th meeting; adding this action begins the initial process. Unanimous, 5-0 vote.

**ORDINANCE ON
2nd READING**
Ordinance 6278

Head and White moved and seconded approval, amending Title 9 "Traffic" by amending "Chapter 9.36.010 – Definitions" by adding Martin Luther King, Jr. Day, Presidents' Day and Veterans' Day to Subsection (2) "Holiday". Unanimous, 5-0 vote. Watson and Head moved and seconded to waive 3rd reading. Unanimous, 5-0 vote. Ordinance 6278 passed into law.

Ordinance 6279

Sandau and Head moved and seconded approval, amending Title 1, "Administration and Personnel" by amending "Chapter 1.62.030 – Classification and Appointment" to change Architect or Engineer Appointment to either residency or employment within the City of Council Bluffs. Unanimous, 5-0 vote. Watson and Sandau moved and seconded to waive 3rd reading. Unanimous, 5-0 vote. Ordinance 6279 passed into law.

RESOLUTIONS
Resolution 16-236

White and Ringgenberg moved and seconded approval, granting an extension of time of a Temporary Use Permit to allow crushing/salvage of asphalt and concrete on property located at 1914 Tostevin Street (TU-15-006). Unanimous, 5-0 vote.

Resolution 16-237

Watson and Head moved and seconded approval, authorizing the Mayor to execute an agreement with New Community Corporation d/b/a NeighborWorks Home Solutions (NWHS) concerning a residential development at 2900 Avenue J. Unanimous, 5-0 vote.

Resolution 16-238

White and Head moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with Jim's Hauling for the Walnut Grove Demolition and Restoration Project. Unanimous, 5-0 vote.

Resolution 16-239 Head and White moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with Carley Construction, LLC for the CBAC Avenue J Reconstruction Project (PW17-21). Voice Vote: 4 Ayes; 1 Nay (Watson).

Resolution 16-240 White and Head moved and seconded approval of the City Street Financial Report ending June 30, 2016. Ringgenberg mentioned the report is required by the State and shows how the City uses Road Use Tax funds. Unanimous, 5-0 vote.

Resolution 16-242 White and Watson moved and seconded approval, authorizing the City Treasurer to certify the Sewer, Water and Refuse Liens to the Pottawattamie County Treasurer. Unanimous, 5-0 vote.

APPLICATIONS/PERMITS & CANCELLATIONS

Watson and Head moved and seconded approval of all Items 6A – 6C inclusive. Items 6A. 1-3. New Beer/Liquor and Wine Permit Applications. 1. The Do Rock Inn, 1200 7th Avenue, 2. 3rd Base Grill and Bar, 800 North 8th Street, 3. Super Convenience Store, 2547 Second Avenue; Items 6B (1-10). Renewal of Beer/Liquor/Wine and Outdoor Permit Applications: 1. Atherton Automotive, 2900 West Broadway, 2. Bluffs Elk Lodge, 380 McKenzie Avenue, 3. Brewski's Beverage, 726 Creek Top, 4. CB Quik Stop, 3500 Avenue A, 5. Casey's General Store #3203, 1928 Sherwood Drive, 6. Council Bluffs Travel Center, 3201 South 7th Street, 7. Dixie Quicks, 157 West Broadway, 8. Horseshoe Casino, 2701 23rd Avenue, 9. Kwik Shop #595, 1749 West Broadway, 10. La Mesa Mexican Restaurant, 3036 South Expressway, and Item 6C. 2016-2017 Cigarette Permit Application. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

No requests from citizens were heard.

Heard from Bruce Kelly, 864 McKenzie Avenue, requesting a bike trail between McKenzie and Simms Avenues.

OTHER BUSINESS

White and Watson moved and seconded approval by giving the Mayor's Office authority to process vacation and sick leave pay; noting approval of said leave and sick time remain under the City Council. White mentioned the City is going to a new Kronos payroll system and this action is administrative in nature. The City Attorney and City Clerk are employees of the City Council; and the approval of requested time off falls under City Council authority. Unanimous, 5-0 vote.

Watson mentioned a special election will be held tomorrow regarding a funding mechanism; it's important to voice your opinion and vote. You can learn more about the issue by going to www.nonpareilonline.com.

As a note of clarification White spoke to the confusion about an article recently published on an update presented by the Mayor at our Rotary group. I received feedback from several individuals who felt the location of potential condominiums were to be located at the Western Historic Trail Center; when in fact the discussion pertained to the location of the Playland Park Area.

Along that same topic Ringgenberg mentioned receiving questions on discussions held with other companies; and questioned if Noddle was backing away from the original plan. Not at all Mayor Walsh indicated; Noddle Company is the Master Developer on the project, whom identified the Chicago company interested in the project; adding another company from Kansas City is also interested. Walsh continued by saying the ground is owned by the City, and the City has final approval of all terms and conditions. A letter of intent was recently submitted to Don Gross who intends to bring the matter before the City Council Walsh added.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:13 p.m. Unanimous.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Matthew J. Walsh, Mayor

Attest:

Marcia L. Worden, City Clerk